

Caleb L. McGillvary  
#1222665/SBI#102317G  
New Jersey State Prison  
Po Box 861  
Trenton, New Jersey  
08625-0861

**FILED**

SEP 11 2024

CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA

September 3, 2024

Clerk of the District Court  
US District Court for the Northern District of California  
Office of the Clerk  
450 Golden Gate Avenue  
San Francisco, CA  
94102-3489

Re: Caleb L. McGillvary v. Dan Hagan  
Civil Action Docket No 3:22-cv-07702-RFL  
Hon. Rita F. Lin, U.S.D.J.

Dear Clerk;

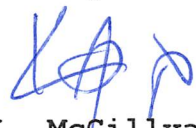
Please enter default against Dan Hagan on the first amended complaint in the above captioned matter. He was served on August 8, 2024. His answer was due on August 29, 2024; ECF 25. It is now September 3, 2024 and he has not answered the complaint.

In support of my request, I rely upon the attached declaration.

Your attention to this matter is appreciated.

Very Truly,

Dated:

  
Caleb L. McGillvary  
#1222665/SBI#102317G  
New Jersey State Prison  
Po Box 861  
Trenton, New Jersey  
08625-0861

Caleb L. McGillvary, Pro Se  
#1222665/SBI#102317G NJSP  
PO Box 861 Trenton, NJ 08625

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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Caleb L. McGillvary	)
PLAINTIFF	) CIVIL ACTION NO.
	) 3:22-cv-07702-RFL
V.	) Hon. Rita F. Lin, USDJ
	)
	) Motion Date: To be determined
Dan Hagan	) by the Court because of
DEFENDANT	) Plaintiff's incarcerated pro se
	) Status

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DECLARATION IN SUPPORT OF REQUEST TO CLERK TO ENTER DEFAULT  
AGAINST DEFENDANT DAN HAGAN ON THE FIRST AMENDED COMPLAINT

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I, Caleb L. McGillvary ("Plaintiff"), hereby declare pursuant to 28 U.S.C. 1746 the following:

1.) I am the pro se plaintiff in the above-captioned matter.

2.) To the best of my knowledge on information from the US Marshal's return of process, I believe that Defendant Dan Hagan was served a copy of the summons and First Amended Complaint in this matter on August 8, 2024, which made his answer due on August 29, 2024. ECF 25.


3.) It is now September 3, 2024, and the Defendant Dan Hagan has not answered or otherwise responded to the First

Amended Complaint, nor appeared to challenge jurisdiction nor sufficiency of service.

4.) For all the foregoing reasons, I believe in good faith that the Clerk should enter default against Dan Hagan on the First Amended Complaint in the above-captioned matter.

I declare under penalty of perjury that the foregoing statements are true and accurate.

Executed this 3<sup>rd</sup> day of SEPTEMBER, 2024

  
\_\_\_\_\_  
Caleb L. McGillvary, ProSe  
#1222665/SBI#102317GNJSP  
PO Box 861, Trenton, NJ08625